

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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HENRY JAMES DAVIS,

PETITIONER,

V.

WARDEN ROEHRICH,

RESPONDENT.

CIVIL NO. 09-2155 (ADM/AJB)

**ORDER**

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Henry James Davis, Prisoner No. 221428, 1101 Linden Lane, Faribault, MN 55021 (pro se);

Lori Swanson, Minnesota Attorney General, Bremer Tower, Suite 1800, 445 Minnesota Street,  
St. Paul MN 55101-2134; and

Michael O. Freeman, Hennepin County Attorney, Michael K. Walz, Assistant Hennepin County  
Attorney, 300 S. 6th Street, Suite A-2000, Minneapolis MN 55487 (for respondent)

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Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan, dated March 23, 2010, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that:

1. Henry James Davis's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody [Docket No. 1] is **DENIED**; and
2. This action is **DISMISSED WITH PREJUDICE**.

Dated: April 21, 2010

s/Ann D. Montgomery

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Ann D. Montgomery  
United States District Court Judge